

ATTORNEY DOCKET NO.: Kreisler 1098-KGB

COMBINATION DECLARATION & POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**STABLE RECOMBINANT INFLUENZA VIRUSES FREE OF
HELPER VIRUSES**

the specification of which was filed on August 31, 2001, as United States Application Serial No. 09/914,658.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed
<u>99104519.6</u>	<u>Europe</u>	<u>6-3-99</u>	<u>x</u> yes ___ no
(Number)	(Country)	(Day/Month/Yr. Filed)	
_____	_____	_____	___ yes ___ no
(Number)	(Country)	(Day/Month/Yr. Filed)	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punished by fine or imprisonment, or both, under Section

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Kurt G. Briscoe, Reg. No. 33,141; William C. Gerstenzang, Reg. No. 27,552; Lorimer P. Brooks, Reg. No. 15,155; Bruce Londa, Reg. No. 33,531; Victoria M. Malia, Reg. No. 39,359; and Stephen G. Ryan, Reg. No. 39,015, all of 220 East 42nd Street, 30th Floor, New York, New York 10017; and William R. Robinson, Reg. No. 27,224; Davy E. Zonerach, Reg. No. 37,267; Mark A. Montana, Reg. No. 44,948 and Robert A. Hyde, Reg. No. 46,354, of 721 Route 202-206, Bridgewater, New Jersey 08807, my attorneys with full power of substitution and revocation.

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1-00 FULL NAME OF SOLE OR FIRST INVENTOR: Gerd HOBOM
 INVENTOR'S SIGNATURE: [Signature] DATE: 11-09-2001
 RESIDENCE: Arndstrasse 14, D-35392 Giessen, Germany DEX CITIZENSHIP: Germany
 POST OFFICE ADDRESS: Same

2-00 FULL NAME OF SECOND INVENTOR: Ramon FLICK
 INVENTOR'S SIGNATURE: [Signature] DATE: 21.11.01
 RESIDENCE: Lilla Hallsattravägen 28, S-137 93 Västerhaninge, Sweden SEX: SE CITIZENSHIP: Germany
 POST OFFICE ADDRESS: Same

3-00 FULL NAME OF THIRD INVENTOR: Anette MENKE
 INVENTOR'S SIGNATURE: [Signature] DATE: 11-09-2001
 RESIDENCE: Ockershäuser Allee 7, D-35037 Marburg, Germany DEX CITIZENSHIP: Germany
 POST OFFICE ADDRESS: Same

4-00 FULL NAME OF FOURTH INVENTOR: Maysa AZZEH
 INVENTOR'S SIGNATURE: [Signature] DATE: 12.11.01
 RESIDENCE: Altenfeldsweg 32, D-35394 Giessen, Germany DEX CITIZENSHIP: Jordan
 POST OFFICE ADDRESS: Same